

amended (19 U.S.C. 1516(c)), and § 175.23, Customs Regulations (19 CFR 175.23).

By publication of T.D. 83-104 in the Federal Register on May 11, 1983 (48 FR 21231), Customs informed the public of the petitioner's desire to contest the decision, and gave a detailed account of the proceedings to that date together with a full explanation of the reason for denying the petition.

In the subsequent proceeding contesting the classification before the Court of International Trade, *American Hardboard Association v. United States and MacMillan Blodell, Ltd.*, Party-in-Interest, Court No. 83-9-01301, a tariff classification not previously considered was suggested. On January 27, 1986, the Court remanded the case for decision on the correctness of the current tariff classification as opposed to the newly suggested alternative classification under the provisions for "Building boards. . . Laminated boards. . .", in item 245.80, TSUS. Materials classified under item 248.80, TSUS, are currently subject to a compound rate of duty of 1.4 cents per pound, plus 2.6 percent ad valorem.

Accordingly, in order to properly consider the issue Customs is requesting the views of the public on classification of the imported prefinished hardboard lap siding in item 245.80, TSUS, as opposed to classification in item 245.90, TSUS. A comment period of 30 days is being allowed in view of the short deadline imposed upon Customs by the Court to report on our decision.

#### Comments

Before making a determination on this matter, Customs will consider any written comments timely submitted. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4, Treasury Department Regulations (31 CFR 1.4), and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), between 9:00 a.m. and 4:30 p.m. on normal business days, at the Regulations Control Branch, Room 2426, U.S. Customs Service Headquarters, 1301 Constitution Avenue NW., Washington, DC 20229.

#### Drafting Information

The principal author of this document was Larry L. Burton, Regulations Control Branch, U.S. Customs Service. However,

personnel from other Customs office participated in its development.

William von Raab,

Commissioner of Customs.

Approved: February 24, 1986.

Francis A. Keating, II,

Assistant Secretary of the Treasury.

[FR Doc. 86-5376 Filed 3-10-86; 9:34 am]

BILLING CODE 4820-02-M

#### Internal Revenue Service

##### 26 CFR Part 1

[LR-3-77]

#### Income Tax; Recapture of Overall Foreign Losses

##### Correction

In the document beginning on page 3193, in the issue of Friday, January 24, 1986, make the following corrections:

1. On page 3193, in the third column, in the last paragraph, in the eighth line, "904(d)(1)(EA)" should read "904(d)(1)(E)".

2. On page 3194, in the second column, in the first complete paragraph, in the eighteenth line, "§ 1.904 (f)-(d)" should read "§ 1.904 (f)-(1)(d)".

3. On page 3196, in the second column, in the first complete paragraph, in the nineteenth line, "national" should read "notional".

##### § 1.904(f)-1 [Corrected]

4. On page 3197, in § 1.904(f)-1(a), in the second column, in the twelfth line from the top of the page, "904(d)(E)" should read "904(d)(1)(E)". In the same column, in paragraph (b), in the sixth line from the bottom of the paragraph, "Form 116" should read "Form 1116", and in the fourth line from the bottom, "balance is" should read "balance in".

5. On page 3198, in § 1.904(f)-1(d)(3)(ii)(A), in the first column, in the third line of paragraph (A), between "capital" and "loss" insert "gain net income reduced by the foreign source net capital".

6. On page 3199, in § 1.904(f)-1(f), in the first column, in the twentieth line from the top of the page, "904(d)(1)(e)" should read "904(d)(1)(E)".

##### § 1.904(f)-2 [Corrected]

7. On page 3199, in the third column, in § 1.904(f)-2(c), in the second line, "mount" should read "amount".

8. On page 3200, in the first column, in Example (4), in the fifteenth line, "904(d)(1)(E)(B)" should read "904(d)(1)(B)".

9. On page 3201, in the first column, in § 1.904(f)-2(d)(4)(iii), in the second line, "of" should read "to".

##### § 1.904(f)-3 [Corrected]

10. On page 3202, in the third column, § 1.904(f)-3(a), in the tenth line from the bottom of the page, "carryback" should read "carryover".

##### § 1.1502-9 [Corrected]

11. On page 3206, in the first column, § 1.1502-9(a), in the eleventh line from the bottom of the page, "national" should read "notional". In the second column, in paragraph (iii), in the sixth line, "oveall" should read "overall".

12. On page 3208, in the third column, in the file line at the end of the document, the FR Doc. number should read "86-1463".

BILLING CODE 1505-01-M

#### FEDERAL COMMUNICATIONS COMMISSION

[MM Docket No. 85-349]

##### 47 CFR Part 76

#### Amendment of the Rules Concerning Carriage of Television Broadcast Signals by Cable Television Systems; Extension of Reply Comments

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rules; Extension of reply comment period.

**SUMMARY:** Action taken herein extends the time for filing reply comments in response to the *Notice of Inquiry and Notice of Proposed Rule Making* in MM Docket No. 85-349. This *Notice* requested comments and specific rule proposals regarding matters concerning carriage of television broadcast stations by cable television systems. The National Association of Broadcasters and the National Cable Television Association requested the extension of time.

**DATE:** Reply comments are due March 21, 1986.

**ADDRESS:** Federal Communications Commission Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Alan Stillwell, Mass Media Bureau, (202) 632-6302.

##### SUPPLEMENTARY INFORMATION:

#### Order Granting Request for Extension of Time To File Reply Comments

In the matter of Amendment of Part 76 of the Commission's Rules Concerning Carriage of Television Broadcast Signals by Cable Television System; MM Docket No. 85-349.

Adopted: February 28, 1986.

Released: March 3, 1986.

By the Acting Chief, Mass Media Bureau.



1. On November 14, 1985, the Commission adopted a combined *Notice of Inquiry and Notice of Proposed Rule Making (Notice)* in MM Docket No. 85-349, 50 FR 48232, to consider the matter of cable carriage of broadcast television signals. Reply comments in this proceeding are currently due March 4, 1986, pursuant to an *Order Extending Time for Filing Reply Comments* that was issued on February 21, 1986 (Mimeo No. 2767).

2. On February 27, 1986, the National Association of Broadcasters (NAB) and the National Cable Television Association (NCTA) submitted a joint motion to extend the date for filing reply comments in the proceeding referenced above until March 21, 1986. The parties state that they reached a compromise agreement on February 27, 1986, to recommend to the Commission new requirements for the carriage of local television broadcast signals by cable systems. The Television Operators Caucus (TOC) and the Independent Television Association (INTV) are also parties to the agreement. The NAB and NCTA indicate that the extension is necessary to permit the NCTA to obtain approval of its board of directors which is scheduled to meet on March 19, 1986. They also submit that they believe that it is important to file reply comments consistent with the compromise agreement.

3. As we stated in the *Notice*, we believe that it is important that the must carry proceeding be completed expeditiously. However, we also recognize the significance of this matter to broadcasters, cable operators, and the public. In this respect, we believe it is desirable to give consideration to the forthcoming must carry compromise agreement between broadcast and cable interests. Thus, we find that the requested 17-day extension is warranted to permit the necessary NCTA board approval and the filing of reply comments reflecting the results thereof.

4. Accordingly, It is ordered that the date for filing reply comments in response to the above-reference *Notice of Inquiry and Notice of Proposed Rule Making* is extended to March 21, 1986. This action is taken pursuant to authority provided in 4(i) of the Communications Act of 1934, as amended, and § 0.283 of the Commission's rules.

5. For further information concerning this proceeding, contact Alan Stillwell, Mass Media Bureau, (202) 632-6302.

Federal Communications Commission.

William H. Johnson.

Acting Chief, Mass Media Bureau.

[FR Doc. 86-5240 Filed 3-10-86; 8:45 am]

BILLING CODE 6712-01-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for *Lindera Melissifolia* (Pondberry)

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** The Service reopens the comment period on the proposal to determine *Lindera melissifolia* (Walt.) Blume (pondberry) to be an endangered species under authority of the Endangered Species Act of 1973, as amended (Act). The Service seeks data and comments from the public on this proposal.

**DATE:** Comments from all interested parties must be received by April 10, 1986.

**ADDRESS:** Comments and materials concerning this notice should be sent to Mr. V. Gary Henry, Acting Field Supervisor, Endangered Species Field Office, U.S. Fish and Wildlife Service, 100 Otis Street, Room 224, Asheville, North Carolina 28801. Comments and material received will be available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert R. Currie at the above address, (704/259-0321 or FTS 672-0321).

#### SUPPLEMENTARY INFORMATION:

##### Background

In a proposed rule published in the Federal Register (50 FR 32581) the Service proposed that *Lindera melissifolia* (pondberry), a small wetland shrub limited to 18 locations in the Southeastern United States, be

designated an endangered species under the authority of the Endangered Species Act of 1973, as amended. *Lindera melissifolia* is endangered by land clearing operations, timber harvesting, drainage activities, and encroachment by competitor species. That proposal, if made final, would implement the protection provided by the Act for *Lindera melissifolia*.

The Act requires that a legal notice of proposed rules, such as the one for *Lindera melissifolia*, be published in local newspapers during the comment period for the proposed rule. Inadvertently, the Service did not publish a newspaper notice in a newspaper within the vicinity of the two Mississippi populations. The purpose of this action is to reopen the comment period for this proposed rule, publish newspaper notices in Mississippi, and thereby meet all public notification requirements of the Act. The appropriate Federal, State, and local officials, landowners, and other interested parties throughout the range of pondberry, including Mississippi, were informed of this proposal during the original comment period which extended from August 13, 1985, through September 27, 1985.

#### Author

The primary author of this notice is Mr. Robert R. Currie, Endangered Species Field Office, U.S. Fish and Wildlife Service, 100 Otis Street, Room 224, Asheville, North Carolina 28801 (704/259-0321 or FTS 672-0321).

#### Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*; Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-932, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411).

#### List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Dated: March 3, 1986.

James W. Pulliam, Jr.,  
Regional Director, Southeast Region, U.S.  
Fish and Wildlife Service.

[FR Doc. 86-5212 Filed 3-10-86; 8:45 am]

BILLING CODE 4310-55-M



# Notices

Federal Register

Vol. 51, No. 47

Tuesday, March 11, 1986

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### Agency Form Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Economic Analysis (BEA)

Title: Unemployment Insurance Benefit Payments by County

Form number: Agency—N/A; OMB—0608-0038

Type of request: Extension of a currently approved collection

Burden: 26 respondents; 156 reporting hours

Needs and uses: BEA requests data directly from the responsible State agencies to produce county estimates of unemployment insurance benefit payments, part of county estimates of personal income.

Affected public: State or local governments

Frequency: Annually

Respondent's obligation: Voluntary

OMB desk officer: Timothy Sprehe, 395-4814

Copies of the above information collection proposal can be obtained by calling or writing DOC Clearance Officer, Edward Michals, (202) 377-4217, Department of Commerce, Room 6622, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Timothy Sprehe, OMB Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503.

Dated: March 5, 1986.

Edward Michals,

Departmental Clearance Officer.

[FR Doc. 86-5218 Filed 3-10-86; 8:45 am]

BILLING CODE 3510-CW-M

## International Trade Administration

[A-549-502]

### Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes From Thailand

**AGENCY:** International Trade Administration, Import Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** In its investigation, the United States Department of Commerce determined that circular welded carbon steel pipes and tubes from Thailand were being sold at less than fair value within the meaning of the antidumping duty law. In a separate investigation, the United States International Trade Commission (the ITC) determined that circular welded carbon steel pipes and tubes from Thailand are materially injuring a United States industry. Additionally, the Department and the ITC found that "critical circumstances" do not exist with respect to circular welded carbon steel pipes and tubes from Thailand. Therefore, based on these findings, all unliquidated entries, or warehouse withdrawals, for consumption of Circular Welded Carbon Steel Pipes and Tubes from Thailand made on or after October 3, 1985, the date on which the Department published its "Preliminary Determination" notice in the *Federal Register*, will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the *Federal Register*.

**EFFECTIVE DATE:** March 11, 1986.

**FOR FURTHER INFORMATION CONTACT:** John J. Kenkel or Charles Wilson, Office of Investigations, International Trade Administration, United States Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 377-5404 or (202) 377-5288.

**SUPPLEMENTARY INFORMATION:** The products under investigation are certain circular welded carbon steel pipes and tubes (referred to in this notice as "pipes and tubes"), also known as "standard pipe" or "structural tubing," which includes pipe and tube with an outside diameter of 0.375 inch or more but not

over 16 inches, of any wall thickness, as currently provided in items 610.3231, 610.3234, 610.3241, 610.3242, 610.3243, 610.3252, 610.3254, 610.3256, 610.3258, and 610.4925 of the *Tariff Schedules of the United States Annotated (TSUSA)*.

In accordance with section 733 of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b), on October 3, 1985, the Department published its preliminary determination that there was reason to believe or suspect that circular welded carbon steel pipes and tubes were being sold at less than fair value (50 FR 40427). On January 27, 1986, the Department published its final determination that these imports were being sold at less than fair value (51 FR 3384).

On February 21, 1986, in accordance with section 735(d) of the Act (19 U.S.C. 1673d(d)), the ITC notified the Department that such importations materially injure a United States industry.

Therefore, in accordance with section 736 of the Act (19 U.S.C. 1673e), the Department directs United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act (19 U.S.C. 1673e(a)(1)), antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of pipes and tubes from Thailand. These antidumping duties will be assessed on all unliquidated entries of pipes and tubes entered, or withdrawn from warehouse, for consumption on or after October 3, 1985, the date on which the Department published its "Preliminary Determination" notice in the *Federal Register* (50 FR 40427).

On and after the date of publication of this notice, United States Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins as noted below:

#### MANUFACTURERS/PRODUCERS

Exporters	Weighted-average margins (pct)
Saha Thai Steel Pipe Co.....	15.69
Thai Steel Pipe Industry Co.....	15.60
All other manufacturers/producers.....	



## MANUFACTURERS/PRODUCERS—Continued

Exporters	Weighted-average margin (pct)
Exporters.....	15.67

Article VI.5 of the General Agreement on Tariffs and Trade provides that "[n]o product . . . shall be subject to both antidumping and countervailing duties to compensate for the same situation of dumping or export subsidization." This provision is implemented by section 772(d)(1)(D) of the Act, which prohibits assessing dumping duties on the portion of the margin attributable to export subsidies. In the final countervailing duty determination on certain circular welded carbon steel pipes and tubes from Thailand, we found export subsidies (50 FR 32751). Since dumping duties cannot be assessed on the portion of the margin attributable to export subsidies, there is no reason to require a cash deposit or bond for that amount. Thus, the amount of the export subsidies will be subtracted for deposit or bonding purposes from the dumping margins.

This determination constitutes an antidumping order with respect to pipes and tubes from Thailand, pursuant to section 736 of the Act (19 U.S.C 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48). We have deleted from the Commerce Regulations, Annex I of 19 CFR Part 353, which listed antidumping findings and orders currently in effect. Instead, interested parties may contact the Office of Information Services, Import Administration, for copies of the updated list of orders currently in effect.

This notice is published in accordance with section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48).

John L. Evans,

*Acting Deputy Assistant Secretary for Import Administration.*

March 4, 1986.

[FR Doc. 86-5249 Filed 3-10-86; 8:45 am]

BILLING CODE 3510-DS-M

## [A-570-501]

### Amended Antidumping Duty Order; Natural Bristle Paint Brushes and Brush Heads From the People's Republic of China (PRC)

**AGENCY:** International Trade Administration, Import Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** On February 14, 1986, the United States Department of Commerce (the Department) published an antidumping duty order in the *Federal Register* stating that all unliquidated entries, or warehouse withdrawals, for consumption of this product made on or after February 14, 1986, the date of publication of the order, would be liable for the assessment of antidumping duties.

This amended order changes the effective date for the assessment of antidumping duties to February 6, 1986, the date of publication of the notice of an affirmative determination of threat of material injury by the International Trade Commission (ITC), in accordance with the "Special Rule" provision of section 736(b)(2) of the Tariff Act of 1930, as amended (the Act).

**EFFECTIVE DATE:** March 11, 1986.

**FOR FURTHER INFORMATION CONTACT:** Paul Tambakis or Charles Wilson, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 377-4136 or (202) 377-5288.

John L. Evans,

*Acting Deputy Assistant Secretary, Import Administration.*

March 4, 1986.

[FR Doc. 86-5250 Filed 3-10-86; 8:45 am]

BILLING CODE 3510-DS-M

## [A-507-502]

### Certain In-Shell Pistachios From Iran; Preliminary Determination of Sales at Less Than Fair Value

**AGENCY:** International Trade Administration, Import Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** We have preliminarily determined that certain in-shell pistachios from Iran are being, or are likely to be, sold in the United States at less than fair value, and have notified the U.S. International Trade Commission (ITC) of our determination. We have directed the U.S. Customs service to suspend the liquidation of all entries of the subject merchandise as described in the "Suspension of Liquidation" section of this notice. If this investigation proceeds normally, we will make our final determination by May 19, 1986.

**EFFECTIVE DATE:** March 11, 1986.

**FOR FURTHER INFORMATION CONTACT:** Mary S. Clapp, Office of Investigations,

United States Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 377-1769.

### Preliminary Determination

We have preliminarily determined that certain in-shell pistachios from Iran are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733(b) of the Tariff Act of 1930, as amended (19 U.S.C. 1673b(b)) (the Act). We found that all sales during the period of investigation were at less than fair value. The weighted-average margin is 192.54 percent. We have preliminarily determined that "critical circumstances" exist with respect to pistachios from Iran.

### Case History

On September 26, 1986, we received a petition from the California Pistachio Commission, Blackwell Land Co., California Pistachio Orchards, Keenan Farms, Inc., Kern Pistachio Hulling & Drying Co-op, Los Ranchos de Poco Pedro, Pistachio Producers of California, and T.M. Duché Nut Co., Inc. In compliance with the filing requirements of § 353.36 of the Commerce Regulations (19 CFR 353.36), the petition alleges that imports of certain in-shell pistachios (pistachios) from Iran are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act and that these imports are materially injuring, or threaten material injury to, a United States industry. After reviewing the petition, we determined that it contained sufficient grounds upon which to initiate an antidumping duty investigation. We notified the ITC of our action and initiated an investigation on October 15, 1985 (50 FR 42978). On November 12, 1985, the ITC determined that there was a reasonable indication that imports of pistachios from Iran were materially injuring, or threatening material injury to, a U.S. industry (US ITC Publication 1777).

On October 25, 1985, we presented a questionnaire to the Rafsanjan Pistachio Cooperative since it was the only known seller of pistachios from Iran. We received a response on November 26, 1985 from the Government of the Islamic Republic of Iran through the Embassy of the Democratic and Popular Republic of Algeria. We requested additional information since the initial response was inadequate for use in a preliminary determination. On January 10, January 15, and January 24, 1986, we received additional responses to the initial October 25, 1985 questionnaire. By